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09/912,134

07/24/2001

Patrick Willem Hubert Heuts

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02/23/2005

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

TRAN, KHANH C

ART UNIT

PAPER NUMBER

2631

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|-------------------------------------|--|
| Office Action Summary | Application No. 09/912,134 | Applicant(s) HEUTS ET AL. | |
| | Examiner Khanh Tran | Art Unit 2631 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 5-8 is/are rejected.
- 7) ☒ Claim(s) 2-4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07/24/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The Preliminary Amendment has been entered 07/24/2001. Claims 1-8 are pending in this Office action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reeb et al. U.S. Patent 6,600,723 B1.

Regarding claim 1, Reeb et al invention is directed to a method for testing and safeguarding the availability of networked system that is assigned to a system carrier, wherein a multiplicity of subscribers exchange data via a bus-type network which is comprised of one or more bus lines. Reeb et al. invention applies to the controller area network communication line as discussed in the Background And Summary Of The Invention; see column 1, lines 50-67; column 2, line 63 via column 3 line 10. In accordance with an embodiment of Reeb et al invention, in column 9, lines 55-67, a gradual displacement of the reference-earth potential can be determined in the case of at least one subscriber during receiving operation. The gradual displacement of the reference-earth potential

would correspond to the claimed detection of a ground level shift on the communication line.

Reeb et al. does not expressly teach the step of comparing a current line voltage level to a standard level as claimed in the application claim. However, in column 29, lines 45-67, Reeb et. al method performs one of a discrimination and measurement in a subscriber of at least one dominant source level fed onto at least one line of a bus-type network to detect a reference-earth potential deviation for at least one receiving subscriber in the networked system. Because detection of a reference-earth potential deviation would involve in the step of comparison, it would have been obvious for one of ordinary skill in the art at the time the invention was made that Reeb et al. method performs the comparison step between the at least one dominant source level fed onto at least one line of a bus-type network and a standard level. The motivation is suggested by Reeb et al. teachings recited above.

Reeb et al. further teaches that offsets are stored as status data in the at least one status map as a function of one of a discrimination result and measurement result obtained in the at least one receiving subscriber. In light of the foregoing discussion, the step of storing offsets in the at least one status map corresponds to the claimed "*feeding a thresholded version of the comparison to a storage element*". The offsets, resulted from the discrimination and measurement step, corresponds to the claimed "*thresholded version*".

As taught in Reeb et al. invention, because offsets, representative of reference-earth potential deviation, are stored as status data in the at least one status map, the status map can be triggered by a local transmission signal to output offset values. The offsets are stored in bits as appreciated by one of ordinary skill in the art, the offsets corresponding to the claimed "*ground shift sample bit*".

Regarding claim 5, referring to figure 1, Reeb et al. method applies to a networked system having different subscribers on a two-wire bus. Reeb et al. method system addresses the claimed method "*for use in a bus organization that has multiple transmission stations connected thereto*".

Regarding claim 6, claim 6 is rejected on the same ground as for claim 1 because of similar scope. Furthermore, means for performing one of a discrimination and measurement in a subscriber of at least one dominant source level fed onto at least one line of a bus-type network to detect a reference-earth potential deviation for at least one receiving subscriber in the networked system corresponds to the claimed comparing means as set forth in the application claim. The motivation is discussed in claim 1.

Means for storing offsets as status data in the at least one status map as a function of one of a discrimination result and measurement result obtained in the

at least one receiving subscriber corresponds to the claimed feed means as set forth in the application claim.

Figure 10 illustrates a status map according to Reeb et al. invention. In column 22 line 60 via column 23 line 50, the alarm flags, corresponding the local transmission indicator signal, can be used to trigger the signaling element AD of the subscriber ECU7 via the bus. In figure 2, derived status data C2 corresponds to the claimed *"trigger control input"*. In column 23, lines 30-40, status data characterizing signal criteria can be extracted from the map in a selected fashion via status paths SD01 and SD02. In light of the foregoing discussion, the status map inherently has an output means, corresponding to the claimed *"output means as set forth in the application claim"*.

Regarding claim 7, referring to figure 1, Reeb et al. teaches a networked system having different subscribers on a two-wire bus. The subscriber ECU7 performs the method according to Reeb et al. invention. The subscriber ECU7 corresponds to the claimed *"station as set forth in the application claim"*.

Regarding claim 8, referring to figure 1, Reeb et al. teaches a networked system having different subscribers on a two-wire bus. The networked system corresponds to the claimed *"a multi-station system arranged for implementing a method as claimed in claim 1"*.

Allowable Subject Matter

3. Claims 2-4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Green et al. U.S. Patent 6,111,888 discloses "Deterministic Serial Bus Communication System".

Kienzler et al. U.S. Patent 5,448,180 discloses "Transmitter End Stage".

Hanf et al. U.S. Patent 6,115,831 discloses "Integrated Circuit For Coupling A Microcontrolled Control Apparatus To A Two-Wire Bus".

Dittmar et al. U.S. Patent 5,784,547 discloses "Method For Fault-Tolerant Communication Under Strictly Real-Time Conditions".

Mimuth et al. U.S. Patent 5,765,031 discloses "Fault Tolerant Output Stage For Digital Two-Conductor Bus Data Communication System".

Bauer U.S. Patent 6,208,924 B1 discloses "Bus System For Data Transfer".

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Tran whose telephone number is 571-272-3007. The examiner can normally be reached on Monday - Friday from 08:00 AM - 05:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KCT

Khanh Cong Tran

02/18/2005

Examiner KHANH TRAN